

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MICHELLE ZAMPELLA,
Plaintiff

v.

Civil No. 03-232-P-C

JO ANNE B. BARNHART,
Commissioner of Social Security,
Defendant

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

The United States Magistrate Judge having filed with the Court on June 16, 2004, with copies to counsel, his Recommended Decision on Motion to Dismiss (Docket Item No. 20) in the above-entitled matter; and the time for filing objections thereto having expired without any objections having been filed; *see* 28 U.S.C. § 636(b)(1); and this Court having reviewed and considered the Magistrate Judge's Recommended Decision, together with the entire record; and having made a *de novo* determination of all matters adjudicated by the Magistrate Judge's Recommended Decision; and this Court concurring with the recommendations of the United States Magistrate Judge for the reasons set forth in his Recommended Decision, and having determined that no further proceeding is necessary; it is **ORDERED** as follows:

- (1) The Recommended Decision of the Magistrate Judge is hereby **AFFIRMED**.
- (2) Defendant's Motion to Dismiss is hereby **GRANTED**.

/s/ Gene Carter
GENE CARTER
Senior United States District Judge

Dated at Portland, Maine this 27th day of July, 2004.